



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,601	01/28/2004	David C. Loda	PA-085,11078-US (05-535)	5200
52237 7590 11/24/2008 BACHMAN & LAPOINTE, P.C. (P&W) 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510-2802				
EXAMINER TRAN, DALENA				
ART UNIT		PAPER NUMBER		
3664				
MAIL DATE		DELIVERY MODE		
11/24/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/767,601

**Applicant(s)**

LODA ET AL.

**Examiner**

Dalena Tran

**Art Unit**

3664

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,5-12,46 and 47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12,46-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10767601	1/28/04	LODA ET AL.	PA-085.11078-US (05-

535)

BACHMAN & LAPOINTE, P.C. (P&W)  
900 CHAPEL STREET  
SUITE 1201  
NEW HAVEN, CT 06510-2802

**EXAMINER**

Dalena Tran

ART UNIT	PAPER
----------	-------

3664

20081119

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

**DETAILED ACTION**

**Notice to Applicant(s)**

1. This office action is responsive to the amendment filed on 8/1/08. As per request, claim 1 has been amended. Claims 1-3, 5-12, and 46-47 are pending.

The withdrawn claims 13-45 should be cancelled.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-12, and 46-47, are rejected under 35 U.S.C. 102(e) as being anticipated by McCarthy, IV et al. (6990432).

As per claim 1, McCarthy, IV et al. disclose a gas turbine engine, comprising: a compressor section; a combustion section downstream of the compressor section; a turbine section downstream of the combustion section; a casing surrounding the compressor sector, combustion section and turbine section (see column 2, lines 29-51), and an electronic controller mounted to the casing, the electronic controller controlling and monitoring operation of the engine and having a microserver, wherein the microserver card generates a wireless system surrounding the engine and adapted to connect to the Internet (see columns 2-3, lines 52-3).

As per claim 2, McCarthy, IV et al. disclose the microserver resides on a card (see column 3, lines 4-33).

As per claims 3, and 5, McCarthy, IV et al. also disclose the microserver card hosts a web page, wherein the webpage has an IP address available for a plurality of Internet protocols, and the microserver card is communicably coupled to other cards within the electronic control box (see columns 3-4, lines 34-28).

As per claims 6-8, McCarthy, IV et al. also disclose the microserver is communicably wirelessly coupled to sensors installed on the engine, the microserver is hard-wired to the sensors, and communicates with the sensors wirelessly (see columns 2-3, lines 52-3).

As per claims 9, and 11-12, McCarthy, IV et al. disclose the microserver communicates by way of radio frequency identification tags, cellular network, and satellite (see columns 4-5, lines 29-28).

As per claim 10, McCarthy, IV et al. disclose the microserver card connects to the Internet by way of a local area network (see columns 3-4, lines 34-28).

As per claim 46, McCarthy, IV et al. disclose controlling the engine; and a microserver for generating a wireless system adapted to connect to the Internet (see columns 2-4, lines 52-28).

As per claim 47, McCarthy, IV et al. disclose the engine is a gas turbine engine (see column 1, lines 40-67).

#### **Remarks**

4. Applicant's argument filed on 8/1/08 has been fully considered, but they are not persuasive.

McCarthy, IV et al. disclose a system includes a server installed on a computer, the server coupled to a gas turbine engine control system (see at least column 1, lines 55-58), computer 34

is the gas turbine control system (column 2, lines 63-64), computer 34 including a network connecting device such as Ethernet device for reading data from other digital such as the Internet (see at least column 3, lines 11-20), therefore, it is obvious, McCarthy, IV et al. disclose server for generating a wireless system adapted to connect to the Internet.

Also, McCarthy, IV et al. disclose a server installed on a computer, and computer include a device, for example, a floppy disk drive, DVD drive, or any other digital device such as an Ethernet device for reading instruction or data from a computer readable medium (see column 3, lines 11-16), therefore, it is obvious, the server may be a card adapted to be inserted or installed on a computer. Therefore, McCarthy, IV et al. still reads the claims invention.

5. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136 (a).

A shorten statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTHS shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136 (a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The examiner can normally be reached on M-W (in a first week of a bi-week), and T-R (in a second week of bi-week) from 7:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi H. Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dalena Tran/  
Primary Examiner, Art Unit 3664  
November 19, 2008